

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA, *ex rel.* W.
Benson Chiles and Chris Manthey,

Plaintiffs

-v-

COOKE INC. *et al.*,

Defendants.

Case No. 1:21-cv-5743 (JMF)

NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law By Defendants Alpha VesselCo Holdings, Inc., Alpha VesselCo, LLC, Seth Dunlop, Gregory Dunlop, and Montgomery Deihl in Support of Motion to Dismiss, and all other papers and proceedings herein, Defendants Alpha VesselCo Holdings, Inc., Alpha VesselCo, LLC, Seth Dunlop, Gregory Dunlop, and Montgomery Deihl will move this Court, before the Honorable Jesse M. Furman, United States District Judge for the Southern District of New York, on a date and time to be set by the Court, for an order dismissing the amended complaint with prejudice pursuant to Rules 12(b)(6) and 9(b) of the Federal Rules of Civil Procedure. The basis for the motion is set forth in the accompanying memorandum of law.

Dated: August 20, 2024

Respectfully Submitted,

/s/ Robert S. Silverblatt

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